CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

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February 24, 1984

To: Land Use Committee

Subject: Report commenting on the recommendations submitted by the Special Committee on Boarding and Lodging Houses in Ward 2.

Origin: Land Use Committee decision of November 30th, 1983. (c71luc84021:52)

Comments:

1. Introduction

At the November 30th, 1983 meeting, your Committee deferred, sine die, consideration of the November 21st report from the Special Committee on Boarding and Lodging Houses in Ward 2. At that same meeting however, your Committee requested my comments on the recommendations contained in the Special Committee's report. The recommendations of the Special Committee and the requested comments are outlined below. I have consulted with the City Solicitor and the Commissioner of Buildings and Inspections as directed, during the preparation of this report. Dr. Reva Gerstein, Chairperson of the Mayor's Action Task Force on Discharged Psychiatric Patients, was also consulted.

2. Boarding and Lodging Houses

Special Committee Recommendation 1 "That the Zoning By-Law be amended so as to permit boarding and lodging houses in all R2, R3 and R4 areas throughout the City."

The Zoning By-Law presently permits single family houses to be converted to boarding and lodging houses in R2, R3 and R4 districts throughout the City, except in certain areas where amending by-laws have been passed to exclude them. It is therefore understood that the Special Committee's recommendation applies to the R2, R3 and R4 districts where such by-laws, to prevent conversions, are now in effect. The districts in question include parts of North Toronto, as well as the Annex and South Parkdale Planning Districts.

The amending by-laws for North Toronto have been consolidated under Section 8(3)(viii)(a) of the Zoning By-Law which prohibits boarding and lodging house conversions in all of the R2 districts: (a) north of the Belt Line railway; (b) in the area south of the Belt Line to St. Clair Avenue, between Avenue Road and Yonge

Street; and (c) on any land abutting Whitehall Road or Summerhill Gardens. The by-law for the areas on either side of the Belt Line date back to the late 1950's. The by-laws for Whitehall Road and Summerhill Gardens were passed by Council in 1970 and 1974.

The by-law preventing boarding and lodging house conversions in the South Parkdale area has been in effect since 1978. The by-law for the Annex was passed by Council in May 1983 following a recent Part II Planning Study. It has not yet been approved by the Ontario Municipal Board however.

During its deliberations, the Special Committee spent considerable time debating whether there is an unreasonable concentration of boarding and lodging house accommodation in the area of Ward 2 north of Queen Street. The information provided by the Buildings and Inspections Department on the number of licensed and license-pending houses of this type does not support those who claim that there is an unreasonable concentration. Moreover, the evidence shows that the number of conversions in the Ward has not been increasing significantly in recent years. Presumably, for these reasons the Special Committee was never able to reach a concensus on the issue.

However, the Special Committee did pass Recommendation 1, in an apparent attempt to discourage conversions in the area in the future. As I understand it, Recommendation 1 is aimed at ensuring a more even distribution of boarding and lodging houses throughout the City. Opening up new areas for boarding and lodging house conversions is seen as a means of reducing the pressures on Ward 2.

To promote this objective, existing prohibitions concerning boarding and lodging houses in South Parkdale, North Toronto and the Annex would have to be re-examined. Its worth mentioning that Recommendation 1 supports the objectives Council had in mind when it established the Interdepartuental Task Force on Affordable Housing and directed it to find ways of increasing the City's affordable housing stock. The Task Force has recommended that some of the conditions be removed that apply to boarding and lodging house conversions and also that new buildings originally constructed as boarding and lodging houses should be permitted in all residential districts that permit apartment houses. However, the Task Force did not recommend any changes to the By-laws which prevent boarding and lodging house conversions in the three areas mentioned. The actions your Committee takes in dealing with Recommendation 1 should therefore be consistent with the decisions taken on the Task Force Recommendations. The Task Force should be consulted if the By-laws are to be reviewed and of course the review process should also ensure full participation by the local communities concerned.

Special Committee Recommendation 2 "That the Zoning By-Law be amended so as to provide that a new boarding or lodging house will not be permitted in Ward 2 any closer than 200 feet from an existing residential care facility or existing boarding or lodging house."

A spacing requirement can be a useful zoning tool for avoiding undesirable use concentrations in residential neighbourhoods. The spacing concept for residential care facilities, for example, has worked rather well since it was introduced in 1978.

However, I must question the need for a spacing provision for boarding and lodging houses in Ward 2. As mentioned previously, a by-law has already been passed to prohibit boarding and lodging house conversions in the area south of Queen Street and in my view, there are not sufficient numbers of boarding and lodging houses in the rest of the Ward to warrant any kind of spacing provision. I would argue that the existing boarding and lodging houses north of Queen are fairly evenly dispersed throughout the area. This coupled with the fact that the numbers of boarding and lodging house conversions are not increasing seems to suggest that the proposal for a spacing requirement would be inappropriate at this time.

Special Committee Recommendation 3(a) "That Council direct the Commissioner of Planning and Development to undertake a review or study in respect of land use planning policies in the area of Ward 2 bounded by Bloor Street on the north, Dufferin Street on the east, Parkside Drive on the west and Queen Street on the south;"

(b) "That Council be requested to pass a resolution along the following lines:

Whereas a review or study of the land use planning policies in the area of Ward 2 bounded by Bloor Street on the north, Dufferin Street on the east, Parkside Drive on the west, and Queen Street on the south, is to be undertaken, and

Whereas under Section 37 of The Planning Act, Council must pass a by-law or resolution to undertake a review or study of an area before an interim control by-law for that area may be adopted,

It is resolved that Council direct the Commissioner of Planning and Development to undertake a review or study of the land use planning policies in the aforesaid area;"

(c) "That Council be requested to pass an interim control by-law prohibiting new boarding or lodging houses in the aforesaid area for a period of one year from the date of the passing of the by-law, and"

(d) "That Council request the Commissioner of Planning and Development to complete his review or study within a six-month period, and report back thereon to the Land Use Committee."

Council has already requested land use planning studies for the area described in Recommendation 3(a). The Wabash/Sorauren area study has been completed and proposals for the Dundas/Howard Park, Brock/Dundas and Dufferin Mall Study Areas will be submitted this year. Part II Planning Studies are scheduled to begin in the remaining areas of Ward 2 when this work is done. The remaining areas include the Perth-Sterling industrial district, which is situated in the north central part of the Ward and the predominantly residential area extending east from Sorauren Avenue over to Parkside Drive and south from Bloor Street to Queen Street.

Recommendation 3(b) requests Council to approve a study under Section 37 of The Planning Act enabling Recommendation 3(c) - to impose a one year freeze on boarding and lodging house conversions - to be implemented. This proposal for a freeze has already been before Council, and no action was taken other than to refer the matter to the Special Committee for further consideration.

When the matter came before the Special Committee, the Assistant Deputy City Solicitor raised doubts that a by-law to prohibit boarding and lodging house conversions would receive Ontario Municipal Board approval without planning support. My position to oppose such a freeze has not changed since I dealt with the issue in my October 1, 1982 report. In my judgment, there are insufficient planning grounds to support a freeze and therefore my advice to Council would be that Recommendation 3 should not be proceeded with.

3. Psychiatric Care

Special Committee Recommendation 4 "That Council endorse the principle that a high standard of psychiatric care must be made available in all hospitals and a high standard of support services be made available throughout the Province, thus supporting the principle of decentralization of psychiatric care services, and that the Province be so advised."

Special Committee Recommendation 5 "That Council advise the Province of Ontario that it is the view of Council that

municipalities which have a large number of ex-psychiatric patients should be compensated with funds which would be directed to better housing and support systems for ex-psychiatric patients."

Special Committee Recommendation 6 "That the Special Committee on a Special Housing By-Law be requested to give consideration to the contents of a Personal Health Care By-Law which could be enacted for the City."

I broadly support the intent behind Recommendations 4, 5 and 6. However, I would expect that Dr. Gerstein will cover these subjects extensively in her report. Therefore, I have no further comment.

4. Group Homes

Special Committee Recommendation 7 "That the Province should be required to notify the community before setting up a group home (residential care facility)."

On April 2, 1983 Council adopted my report entitled Group Home Community Outreach Program which in part addressed the issue of community notification. That report contained the Group Home Operators' Neighbourhood Dialogue Guidelines which state:

"Once an operator has been registered by the City's Registar, the operator should commence community dialogue immediately. In the period after securing funding, accommodation and registration, and before the start of operation of the facility, neighbours should be told about the program...

"These guidelines place a clear onus on operators and their sponsoring agencies to make neighbourhood dialogue a priority responsibility of their programs, making them cognizant from the outset of their roles as good neighbours. This is in keeping with the accepted practice of community consultation in neighbourhood planning in Toronto."

Since the report was adopted a series of workshops with group home operators has been conducted. An understanding has been reached between the City and the group home operators about the necessity of neighbourhood dialogue. Following these workshops, consultations have been held with senior government officials responsible for approving and supervising group home programs in the Toronto area. An agreement has been reached between the City and the affected Ontario ministries on the implementation of the Neighbourhood Dialogue Guidelines. While the onus remains with group home operators to initiate neighbourhood dialogue, the responsible government agency will ensure that the operator

prepares for and carries out a neighbourhood dialogue program according to the City's guidelines.

Therefore, on the matter of community notification, I can report to your Committee that appropriate steps have been taken to ensure that notification occurs. No further action is required at this time. I will shortly be reporting more fully on the status of the Group Homes Community Outreach Program.

> Special Committee Recommendation 8 "That the present 800 foot by-law be amended to read 2,000 feet."

On July 8, 1982 Council requested that I review the performance of the Group Home By-law. I reported in two parts: Group Home By-law Review and Group Home Registration By-law: Interim Report, September 17, 1982; and, Residential and Crisis Care Facilities By-law Review: Final Report, September 30, 1982. Those reports review in detail the City's experience with group homes since the enactment of the group home by-law in 1978.

It was found that the by-law through the 245 metre (800') distancing provision had immediately halted further concentrations of group homes, most notably in South Parkdale, the Annex and North Riverdale. Furthermore, it was found that the group home by-law was gradually affecting an equitable distribution of group homes across the City to neighbourhoods hitherto without group homes. The High Park area where a group home was established on Indian Road was one such neighbourhood.

The 245 metre distancing provision accomplishes the two main objectives of the City's group home policy as represented by the 1977 Report No. 1 of the Mayor's Working Committee on Group Homes. These objectives are:

1. Access by group homes to all residential districts; and

2. Protection of neighbourhoods from group home concentrations.

In my opinion, the presence of group homes 245 metres or more apart in a residential area cannot be construed as concentration. A distancing provision of 610 metres (2000') would, on the other hand, deny group homes access to entire neighbourhoods, thereby defeating the purpose of the group homes policy. Therefore, I cannot recommend an increase in the distancing provision.

> Special Committee Recommendation 9 "That in view of the adoption of the group home by-law into Metroplan, the Provincial Government be urged to locate new group homes outside the City of Toronto, and in particular, outside Ward 2

and other wards in the City of Toronto which presently have 12 or more group homes."

The provincial government's group home policy is one of encouragement of municipalities to adopt as of right zoning for group homes. It is not a requirement. This is why the Metropolitan policy and the Ontario Municipal Board hearing hold such significance for the City of Toronto and Metropolitan Toronto. There is a common misunderstanding that the provincial government directs the placement of group homes to specific locales; it does not. The various group home programs funded by the provincial ministries are brought on stream by independent group home operators. The operators are the actual service providers acting as middlemen between the province and the local community. It is the operator who must find access to the Metropolitan housing stock. It is the unequal accessability to Metropolitan neighbourhoods which has frustrated the group home operators' attempts over the years to effect an equitable distribution of facilities across the region.

The Metropolitan provision respecting group homes is being heard by the Ontario Municipal Board at this time. If the provision is approved, I expect the Ontario Municipal Board will hear local area official plan amendments and zoning by-laws to put the group home policy into effect. Some other municipalities in Metro, particularly North York, have already implemented the group home policy and operators have successfully established facilities there. Therefore, I can report that a wider more equitable distribution of group homes throughout Metropolitan Toronto is beginning to occur. I anticipate this trend will accelerate if the Ontario Municipal Board renders a decision which obliges all area municipalities to accommodate group homes.

Respecting the suggestion that Ward 2 and other wards with twelve or more group homes be exempted by the provincial government from receiving more facilities, I believe that this is neither practicable nor desirable for the reasons stated above. The recommendation contradicts previous statements made by the main residents groups involved in the Ward 2 group home debate concerning their not objecting to better distribution of group homes within Ward 2 and the rest of the City. Finally, the recommendation would affect Council's September 9, 1982 re-affirmation of the City's group home policy.

Land Use Committee

February 24, 1984

Recommendation:

That this report be received.

Stephen G. McLaughlin,
Commissioner.

TM:BM:dw

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENTS

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REFER FILE

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649/03335
CN/West
March 28, 1984

To: Land Use Committee

Subject: Revised report commenting on the recommendations submitted by the Special Committee on Boarding and Lodging Houses in Ward 2.

Origin: Land Use Committee decision of November 30th, 1983. (c71luc84159:52)

Comments:

1. Introduction

At the November 30th, 1983 meeting, your Committee deferred, sine die, consideration of the November 21st report from the Special Committee on Boarding and Lodging Houses in Ward 2. At that same meeting however, your Committee requested my comments on the recommendations contained in the Special Committee's report. The recommendations of the Special Committee and the requested comments are outlined below. I have consulted with the City Solicitor and the Commissioner of Buildings and Inspections as directed, during the preparation of this report. Dr. Reva Gerstein, Chairperson of the Mayor's Action Task Force on Discharged Psychiatric Patients, was also consulted.

My original report on this subject was intended to go before the Land Use Committee on March 7, 1984. However, the report was withdrawn for updating before that meeting took place. This revised version of the report contains comments from the Mayor's Action Task Force on Discharged Psychiatric Patients on the Special Committee's recommendations 4, 5 and 6 which were not available previously.

2. Boarding and Lodging Houses

Special Committee Recommendation 1 "That the Zoning By-Law be amended so as to permit boarding and lodging houses in all R2, R3 and R4 areas throughout the City."

The Zoning By-Law presently permits single family houses to be converted to boarding and lodging houses in R2, R3 and R4 districts throughout the City, except in certain areas where amending by-laws have been passed to exclude them. It is therefore understood that the Special Committee's recommendation applies to the R2, R3 and R4 districts where such by-laws, to prevent conversions, are now in effect. The districts in question

include parts of North Toronto, as well as the Annex and South Parkdale Planning Districts.

The amending by-laws for North Toronto have been consolidated under Section 8(3)(viii)(a) of the Zoning By-Law which prohibits boarding and lodging house conversions in all of the R2 districts: (a) north of the Belt Line railway; (b) in the area south of the Belt Line to St. Clair Avenue, between Avenue Road and Yonge Street; and (c) on any land abutting Whitehall Road or Summerhill Gardens. The by-law for the areas on either side of the Belt Line date back to the late 1950's. The by-laws for Whitehall Road and Summerhill Gardens were passed by Council in 1970 and 1974.

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However, the Special Committee did pass Recommendation 1, in an apparent attempt to discourage conversions in the area in the future. As I understand it, Recommendation 1 is aimed at ensuring a more even distribution of boarding and lodging houses throughout the City. Opening up new areas for boarding and lodging house conversions is seen as a means of reducing the pressures on Ward 2.

To promote this objective, existing prohibitions concerning boarding and lodging houses in South Parkdale, North Toronto and the Annex would have to be re-examined. Its worth mentioning that Recommendation 1 supports the objectives Council had in mind when it established the Interdepartmental Task Force on Affordable Housing and directed it to find ways of increasing the City's affordable housing stock. The Task Force has recommended that some of the conditions be removed that apply to boarding and lodging house conversions and also that new buildings originally constructed as boarding and lodging houses should be permitted in all residential districts that permit apartment houses. However,

the Task Force did not recommend any changes to the By-laws which prevent boarding and lodging house conversions in the three areas mentioned. The actions your Committee takes in dealing with Recommendation 1 should therefore be consistent with the decisions taken on the Task Force Recommendations. The Task Force should be consulted if the By-laws are to be reviewed and of course the review process should also ensure full participation by the local communities concerned.

> Special Committee Recommendation 2 "That the Zoning By-Law be amended so as to provide that a new boarding or lodging house will not be permitted in Ward 2 any closer than 200 feet from an existing residential care facility or existing boarding or lodging house."

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> Whereas under Section 37 of The Planning Act, Council must pass a by-law or resolution to undertake a review or study of

an area before an interim control by-law for that area may be adopted,

It is resolved that Council direct the Commissioner of Planning and Development to undertake a review or study of the land use planning policies in the aforesaid area;"

(c) "That Council be requested to pass an interim control by-law prohibiting new boarding or lodging houses in the aforesaid area for a period of one year from the date of the passing of the by-law, and"

(d) "That Council request the Commissioner of Planning and Development to complete his review or study within a six-month period, and report back thereon to the Land Use Committee."

Council has already requested land use planning studies for the area described in Recommendation 3(a). The Wabash/Sorauren area study has been completed and proposals for the Dundas/Howard Park, Brock/Dundas and Dufferin Mall Study Areas will be submitted this year. Part II Planning Studies are scheduled to begin in the remaining areas of Ward 2 when this work is done. The remaining areas include the Perth-Sterling industrial district, which is situated in the north central part of the Ward and the predominantly residential area extending east from Sorauren Avenue over to Parkside Drive and south from Bloor Street to Queen Street.

Recommendation 3(b) requests Council to approve a study under Section 37 of The Planning Act enabling Recommendation 3(c) - to impose a one year freeze on boarding and lodging house conversions - to be implemented. This proposal for a freeze has already been before Council, and no action was taken other than to refer the matter to the Special Committee for further consideration.

When the matter came before the Special Committee, the Assistant Deputy City Solicitor raised doubts that a by-law to prohibit boarding and lodging house conversions would receive Ontario Municipal Board approval without planning support. My position to oppose such a freeze has not changed since I dealt with the issue in my October 1, 1982 report. In my judgment, there are insufficient planning grounds to support a freeze and therefore my advice to Council would be that Recommendation 3 should not be proceeded with.

3. Psychiatric Care

Special Committee Recommendation 4 "That Council endorse the principle that a high standard of psychiatric care must be

made available in all hospitals and a high standard of support services be made available throughout the Province, thus supporting the principle of decentralization of psychiatric care services, and that the Province be so advised."

Special Committee Recommendation 5 "That Council advise the Province of Ontario that it is the view of Council that municipalities which have a large number of ex-psychiatric patients should be compensated with funds which would be directed to better housing and support systems for ex-psychiatric patients."

Special Committee Recommendation 6 "That the Special Committee on a Special Housing By-Law be requested to give consideration to the contents of a Personal Health Care By-Law which could be enacted for the City."

I broadly support the intent behind Recommendations 4, 5 and 6 and the comments of the Mayor's Action Task Force on Discharged Psychiatric Patients which are outlined by Dr. Reva Gerstein in her Final Report. She states that:

"Recommendation 4 is consistent in principle with the findings in my Final Report on the need for greater involvement by general hospitals in the delivery of services to discharged psychiatric patients and is supportable. As well, I have made recommendations consistent with the intent of Recommendation 4 regarding the high level of support services needed throughout the Province, but by virtue of my Task Force mandate, I have made recommendations specific to the Toronto area. My recommendations have been based on numerous consultations with politicians and officials of the City, Metro and Province and I have received positive responses from those consulted.

Recommendation 5 is also consistent with the thrust of my final recommendations. In particular, my proposal for the Contract Aftercare Project (C.A.P.) for upgrading boarding homes located throughout the City which cater primarily to discharged psychiatric patients is to be funded by the Province but implemented through joint efforts on the part of the City, Metro and the Province. I have also made recommendations directed to better support systems for ex-psychiatric patients. Accordingly, I would urge Council to adopt this recommendation.

Recommendation 6 is directed to the Special Committee on a Special Housing By-law (originally entitled the Special Committee for a Personal Care By-law) chaired by Dr. A.S. Macpherson, the Medical Officer of Health for the City. This Special Committee was established by Council in October of

1982 (Clause 17 of Report 18 of the Land Use Committee, adopted as amended on October 7, 8, 1982) and held its first meeting on January 5, 1983. When Council adopted the establishment of the Mayor's Action Task Force on Discharged Psychiatric Patients to be chaired by me, it directed that the Special Committee on Boarding and Lodging Houses in Ward 2 and the Special Committee on a Special Housing By-law to proceed with their work in coordination with the Task Force, and to report their findings to the Task Force. (Clause 22 of Report #11, adopted as amended February 21 and 25, 1983).

As I understand the mandate of the Special Committee on a Special Housing By-law, it is to do precisely that which is requested in Recommendation 6 of the Final Report of the Special Committee on a Special Housing By-law. I have not received a report from the Special Committee on a Special Housing By-law. However, as explained in my Preliminary Report (Housing chapter), I have come to the conclusion that an additional by-law directed at standards of care for discharged psychiatric patients is not the most effective approach for the City to take at this time. In reaching this conclusion, I consulted with many officials and politicians, including many of the members of the Special Committee on a Special Housing By-law. I remain satisfied that the enactment of a 'personal care by-law' is not something I am prepared to recommend. However, I consider Recommendation 6 supportable in that it pertains to what the Special Committee on a Special Housing By-law has already been directed by Council to do."

4. Group Homes

Special Committee Recommendation 7 "That the Province should be required to notify the community before setting up a group home (residential care facility)."

On April 2, 1983 Council adopted my report entitled Group Home Community Outreach Program which in part addressed the issue of community notification. That report contained the Group Home Operators' Neighbourhood Dialogue Guidelines which state:

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Therefore, on the matter of community notification, I can report to your Committee that appropriate steps have been taken to ensure that notification occurs. No further action is required at this time. I will shortly be reporting more fully on the status of the Group Homes Community Outreach Program.

Special Committee Recommendation 8 "That the present 800 foot by-law be amended to read 2,000 feet."

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recommendation contradicts previous statements made by the main residents groups involved in the Ward 2 group home debate concerning their not objecting to better distribution of group homes within Ward 2 and the rest of the City. Finally, the recommendation would affect Council's September 9, 1982 re-affirmation of the City's group home policy.

Recommendation:

That this report be received.

Stephen G. McLaughlin,
Commissioner.

TM:BM:dw